

SENATE JOINT RESOLUTION

No. 13

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Middlesex and Monmouth)

Senator STEPHEN M. SWEENEY

District 3 (Salem, Cumberland and Gloucester)

Co-Sponsored by:

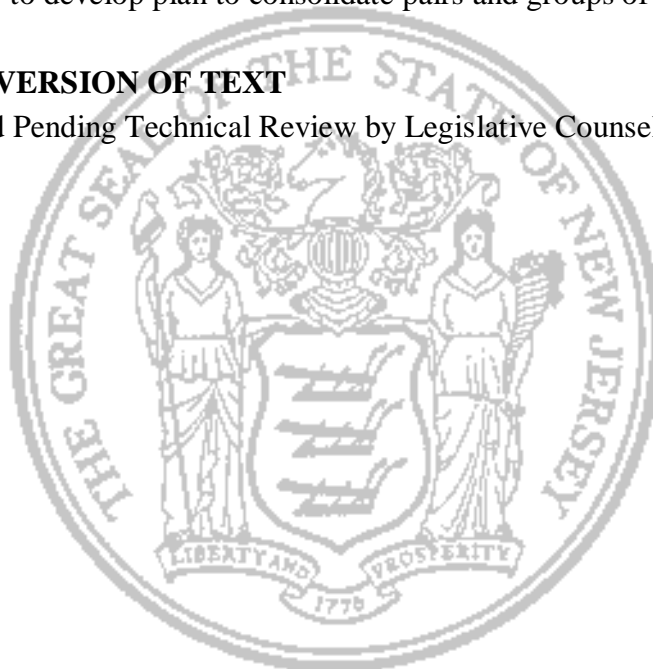
Senator Bucco

SYNOPSIS

Establishes "Municipal Alignment, Reorganization and Consolidation Commission" to develop plan to consolidate pairs and groups of municipalities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 **A JOINT RESOLUTION** establishing the "Municipal Alignment,
2 Reorganization and Consolidation Commission" to recommend
3 municipalities for consolidation.
4

5 **WHEREAS,** The State of New Jersey currently has 566
6 municipalities, each with its own layers of local bureaucracy that
7 contribute to the high property tax burden suffered by New
8 Jersey residents; and

9 **WHEREAS,** The consolidation of municipalities is a step toward
10 alleviating the property tax crisis by promising to reduce the
11 administrative costs of local government and by making the
12 delivery of local services more efficient due to economies of
13 scale; and

14 **WHEREAS,** The current laws permitting consolidation of
15 municipalities are seldom used due to the narrow parochial
16 interests of the residents of each municipality; and

17 **WHEREAS,** Tough political decisions are often most expeditiously
18 made through the use of bipartisan commissions, as
19 demonstrated by the success of the federal base realignment and
20 closure (BRAC) procedure; and

21 **WHEREAS,** Municipalities are creatures of the Legislature; however,
22 due to the pervasive notion of "home rule" and the political
23 conflicts inherent in mandatory consolidation, it is necessary and
24 proper to establish a bipartisan commission to fairly examine
25 when consolidation will reduce the property tax burden for pairs
26 or groups of municipalities and to make those recommendations
27 to the Governor and the Legislature in order to make a serious
28 effort, insulated in large part from the political process, to reduce
29 the number of municipalities in the State; now, therefore,
30

31 **BE IT RESOLVED** *by the Senate and General Assembly of the*
32 *State of New Jersey:*
33

34 1. a. There is hereby established the "Municipal Alignment,
35 Reorganization and Consolidation Commission."

36 b. The commission shall consist of nine voting members, all of
37 whom shall be public members, to be appointed as follows: four
38 members, not more than two of whom shall be of the same political
39 party, shall be appointed by the Governor, one member shall be
40 appointed by the Senate President, one member shall be appointed
41 by the Senate Minority Leader, one member shall be appointed by
42 the Speaker of the General Assembly, one member shall be
43 appointed by the Assembly Minority Leader, and one member shall
44 be appointed by the Chief Justice of the Supreme Court of New
45 Jersey. All of the nine members appointed shall have expertise in
46 one or more local government subjects, such as planning, local
47 finance, geography, taxation, or other relevant fields.

1 c. The members shall be appointed within 60 days following
2 the effective date of this joint resolution and they shall serve until
3 the commission submits its final report to the Governor and the
4 Legislature. Any vacancy in the membership of the commission
5 shall be filled in the same manner as the original appointment was
6 made.

7
8 2. The "Municipal Alignment, Reorganization and
9 Consolidation Commission" shall organize as soon as practicable
10 after the appointment of its members and shall select a chair from
11 among its members and a secretary, who need not be a member of
12 the commission. Members of the commission shall serve without
13 compensation, but shall be reimbursed for expenses actually
14 incurred in the performance of their duties. The commission may
15 meet and hold hearings at the places it designates throughout the
16 State during the sessions or recesses of the Legislature.

17
18 3. a. It shall be the duty of the "Municipal Alignment,
19 Reorganization and Consolidation Commission" to develop a plan
20 to effectuate the consolidation of municipalities throughout the
21 State. The plan shall contain a list of those municipalities which the
22 commission determines would benefit from consolidating.
23 Municipalities that are paired or grouped together for consolidation
24 shall be located in the same county.

25 b. In creating the plan, the commission shall develop a standard
26 set of criteria which it shall apply in order to determine which
27 municipalities are good candidates for consolidation. The criteria
28 shall include, but need not be limited to:

29 (1) a consideration of geographic factors, such as a shared
30 boundary, or in the case of the recommended consolidation of more
31 than two municipalities, that the consolidated municipality will
32 have a contiguous boundary;

33 (2) an analysis of the economic costs and benefits of
34 consolidation, including potential tax savings and reductions in
35 government costs through economies of scale; and

36 (3) community interests.

37
38 4. a. The "Municipal Alignment, Reorganization and
39 Consolidation Commission" shall be entitled to the assistance and
40 services of the Local Finance Board and the Division of Local
41 Government Services in the Department of Community Affairs. In
42 addition, the commission shall be entitled to the assistance and
43 services of the employees of any other State department, board,
44 bureau, commission, or agency, as it may require and as may be
45 available to it for its purposes.

46 b. The commission shall be entitled to the cooperation of the
47 officials and employees of every county and municipality as it may
48 require and may apply to the Commissioner of Community Affairs

1 for the imposition of sanctions against those officials and
2 employees who do not comply with its reasonable requests.

3 c. The commission may incur traveling and other
4 miscellaneous expenses necessary to perform its duties, within the
5 limits of funds available to it for its purposes.

6
7 5. a. The "Municipal Alignment, Reorganization and
8 Consolidation Commission" shall submit its final report and
9 consolidation plan to the Governor and the Legislature no later than
10 24 months following the appointment of all of the initial members.

11 b. Upon receipt of the consolidation plan submitted by the
12 commission, the plan shall become effective only upon the adoption
13 of a joint resolution for its approval by the Legislature and signed
14 by the Governor.

15 c. The consolidation of pairs or groups of municipalities
16 required to consolidate by the consolidation plan shall be
17 accomplished within 12 months following the approval of the
18 consolidation plan pursuant to subsection b. of this section.

19 d. The adoption of a form of government, the election of
20 officers, the apportionment of debts, and other issues between pairs
21 or groups of municipalities required to consolidate pursuant to an
22 approved consolidation plan under subsection b. of this section shall
23 be determined, as far as practicable, in accordance with the
24 procedures set forth in the "Municipal Consolidation Act,"
25 P.L.1977, c.435 (C.40:43-66.35 et seq.).

26 e. Upon the approval of the consolidation plan by the Governor
27 and the Legislature pursuant to subsection b. of this section, the
28 Commissioner of Education shall meet with the superintendents and
29 other educational leaders of the school districts servicing the pairs
30 or groups of affected municipalities to determine if the
31 consolidation of those school districts is necessary or desirable.

32 f. For a period of 10 years from the consolidation of a pair or
33 group of municipalities pursuant to the plan approved under
34 subsection b. of this section, and notwithstanding any law to the
35 contrary, the residents of those municipalities shall not have the
36 right to secede to form a new municipality, or to consolidate with or
37 annex themselves to any other municipality.

38
39 6. This joint resolution shall take effect immediately.
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42 **STATEMENT**
43

44 This joint resolution would establish the "Municipal Alignment,
45 Reorganization and Consolidation Commission," to develop a plan
46 to effectuate the consolidation of pairs or groups of municipalities
47 in the State. The commission would consist of nine members, all of
48 whom shall be public members with expertise in various local

1 government fields. The members would be appointed in a
2 bipartisan fashion by the Legislative leadership, the Governor, and
3 the Chief Justice of the Supreme Court of the State.

4 In creating the consolidation plan, the commission would
5 develop a standard set of criteria to determine which pairs or groups
6 of municipalities would benefit from consolidating. Such criteria
7 would include a combination of geographic and economic
8 considerations, such as shared county location, the economic costs
9 and benefits of consolidation, the potential tax savings and
10 reductions in government costs through economies of scale, and
11 community interests. Within 24 months of the enactment of this
12 joint resolution, the commission would transmit its plan to the
13 Governor and the Legislature for approval.

14 The high property tax burden affecting New Jersey residents has
15 its source in the multitude of local government units, currently 566
16 municipalities, operating in the State. Even though many of these
17 municipalities could achieve substantial cost savings through
18 consolidation, narrow parochial interests have prevented
19 consolidation efforts, and thereby the delivery of real property tax
20 relief. The establishment of the "Municipal Alignment,
21 Reorganization and Consolidation Commission" would be a first
22 step toward alleviating the high cost of local government in New
23 Jersey.